REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-27 are pending in the present application, Claims 17-24 having been amended, and Claims 25-27 having been added. The amendments to Claims 17-24 are self-evident. Support for new Claims 25-27 is found, for example, in Figs. 12B and 12C, and there corresponding descriptions in the specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 17-24 were rejected under 35 U.S.C. §101; Claims 1-8 were rejected under the non-statutory obviousness-type double patenting as unpatentable over Claims 1-6 of U.S. Patent No. 6,678,867; Claims 1-3, 5-7, 9-11,13-15, 17-19, and 21-23 were rejected under 35 U.S.C. §102(b) as anticipated by Rada et al. (*Hypertext Interchange Using ICA*, June 1995, pages 99-117, hereinafter Rada); and Claims 4, 8, 12, 16, 20, and 24 were rejected under 35 U.S.C. §103(a) as anticipated by Rada in view of Burnard (*SGML on the Web*: Too Little Too Soon, or Too Much Too Late?, Nov. 1, 1996, pages 1-9).

With respect to the rejection of Claims 17-24 under 35 U.S.C. §101, Claim 17 is amended to recite "A computer-readable medium encoded with instructions...." Claims depending from Claim 17 are similarly amended. The outstanding Office Action states "...a claimed computer-readable encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components...and is thus statutory." Thus, Applicants respectfully submit that the rejection of Claims 17-24 under 35 U.S.C. §101 is overcome.

To expedite progress toward allowance, a Terminal Disclaimer is filed herewith, which was inadvertently omitted from the last response. Thus, Applicant respectfully submit that the double patenting rejection has been overcome.

The filing of a Terminal Disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection. The "filing of a Terminal Disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection." Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1991). Accordingly, Applicants filing of the attached disclaimer is provided for facilitating a timely resolution to prosecution only, and should not be interpreted as an admission as to the merits of the obviated rejection.

With respect to the rejection of Claim 1 as anticipated by Rada, Applicants respectfully traverse this ground of rejection. Claim 1 recites, *inter alia*,

> inputting, into the editor by a user, preferences for transforming an element of the first structural description to at least one element of the second structural description; [and]

> storing translation information output from the editor, the translation information comprising at least the preferences input by the user.

Rada does not disclose or suggest these elements Claim 1.

Rada describes the Integrated Chameleon Architecture (ICA), which is a toolset for generating translators among different text markups. ICA is based on an intermediate format or markup language and assumes that input and output files contain markup language. The general method of hypertext interchange in ICA is to use an intermediate format (SGML is used as an example in Fig. 1 of Rada) through which data in one format pass is converted to first before being converted to another format. The input file containing hypertext is changed into an intermediate format. Then the intermediate format is changed into another format in an output file.

The ICA system generates a program to re-code the markups in the original markup language by mapping the markups to a general representation, generates a program to convert the recoded file into the general markup scheme (intermediate format), and generates a program to convert the general markup document (intermediate format) to the specific, individual formats. All programs are generated using tools of the ICA system. The programs are connected together to form a converter from one markup language to another.

However, Rada does not disclose the claimed "inputting, into the editor by a user, preferences for transforming an element of the first structural description to at least one element of the second structural description." The outstanding Office Action takes the position that preferences for transforming an element of the first structural description to at least one element of the second structural description are entered by using the recoding and structural mapping toolset of Rada.[1] However, Rada does not disclose or suggest any user input in conjunction with the recoding and structural mapping toolset. On the contrary, Rada discloses that programs are generated to recode the markups and to do the translation.[2] The mere disclosure of an interactive interface to support different states of generating a translator does not disclose or suggest the claimed "inputting, into the editor by a user, preferences for transforming an element of the first structural description to at least one element of the second structural description." Rada provides no detail on what functions the interface provides to a user.

Furthermore, Claim 1 recites "the translation information comprising at least the preferences input by the user." The outstanding Office Action takes the position that Rada's recoded file equates to the claimed "translation information."[3] However, Rada does not disclose or suggest that there is user input information included in the recoded file. Rather,

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[1] Office Action, page 7.
[2] Rada, page 101.
[3] Office Action, page 7.

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Rada discloses: that ICA automatically generates a translator, the recoding toolset changes markup codes by replacing codes in an original data representation with their intermediate format counterparts, and generate a program to recode the markups.[4] There is no disclosure or suggestion that the recoded file includes user inputted preferences for transforming an element of the first structural description to at least one element of the second structural description.

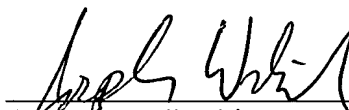Furthermore, Burnard does not cure the above-noted deficiencies in Rada.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2-16 and 25 dependent thereon) patentably distinguish over Rada and Burnard, taken alone or in proper combination.

In addition, Claims 9 and 17 recite elements analogous to those of Claim 1. Thus, Applicants respectfully submit that Claims 9 and 17 (and Claims 10-16 and 18-27 dependent thereon) patentably distinguish over Rada and Burnard, taken alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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[4] Rada, pages 100-101.